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WASHINGTON, D.C.**FACSIMILE**Please call us at the following number if the message you receive is incomplete  
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<b>TO</b>	<b>John Gillon, Esq.</b>	<b>Friday, March 05, 2004 11:20:58 AM</b>
	<small>Name</small>	<small>Date</small>
		1(703) 305 4257
	<small>Company/Firm</small>	<small>Fax #</small>
<b>FROM</b>	<b>John Timar</b>	<b>(404) 870-8177</b>
	<small>Name</small>	<small>Direct Fax #</small>
	Number of Pages (Including Cover) 04	<b>(404)888-7412</b>
		<small>Direct Dial #</small>

**MESSAGE:**

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Serial No. 10/080,746 Filed: 2/22/03  
Patent No. \_\_\_\_\_ Issued: \_\_\_\_\_  
TM/SM Reg. \_\_\_\_\_ Reg.: \_\_\_\_\_  
Applicant: Reiswenger et al.  
For: Early Warning System for Detection of  
Bioterrorist Event  
Docket No. H159 1010 CM Date: 5/9/05  
Express Mail No. \_\_\_\_\_ Date Due: \_\_\_\_\_

PATENT AND TRADEMARK  
OFFICE STAMP HEREON  
ACKNOWLEDGES RECEIPT OF  
THE FOLLOWING PAPERS:

USPTO STAMP



- ☒ Fees \$ 620.00 (Deposit account)
- ☐ Missing Parts Response
- ☐ Amendment  
    ☐ Non-Final ☐ Final
- ☐ Preliminary Amendment
- ☐ Petition for Extension of Time to: \_\_\_\_\_
- ☐ Response
- ☐ Assignment ☐ Cover Sheet ☐ Statement of Use & Declar.
- ☐ IDS/Form PTO-1449 \_\_\_\_\_ Specimen(s)
- ☐ Priority Document(s) ☐ Affidavit Under § 8 \_\_\_\_\_ Specimen(s)
- ☐ Issue Fee Transmittal \_\_\_\_\_ Specimen(s)
- ☐ Maintenance Fee Transmittal ☐ Affidavit Under §§ 8 & 15 \_\_\_\_\_ Specimen(s)
- ☐ Declaration Under § \_\_\_\_\_ Specimen(s)
- ☐ \_\_\_\_\_ Sheets of Drawings ☐ Application for Renewal \_\_\_\_\_ Specimen(s)
- ☐ Formal ☐ Informal
- ☐ Letter to the Draftsman ☐ Extension of Time to File \_\_\_\_\_ Statement of Use
- ☐ Terminal Disclaimer
- ☐ Verified Statement(s) Under 37 CFR 1.9 and 1.27
- ☐ Transmittal Cover Sheet for \_\_\_\_\_
- ☒ Other Petition to Reviser Application for  
Failure to Notify Office of Foreign Filing

Initials: DO

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Practitioner's Docket No. ~~159~~ 1010

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Beiswenger, et al.

Application No.: 10/080,746

Group No.: 2182

Filed: February 22, 2002

Examiner: Not Assigned

For: Early Warning System and Methods for Detection of a Bioterrorist Event

Commissioner for Patents

Washington, D.C. 20231

PETITION TO REVIVE APPLICATION ABANDONED FOR FAILURE TO  
NOTIFY OFFICE OF FOREIGN FILING  
(37 C.F.R. § 1.137(f))

COPY

1. This application was filed initially with a request for nonpublication because there was no intention at that time to file an application for the subject matter of this invention in a foreign country or under a multinational treaty which requires publication of the application eighteen months after the filing.
2. On February 22, 2003 an international application for the subject matter of this invention was filed under the Patent Cooperation Treaty.
3. No notification of this foreign filing within the 45 day period required by 35 U.S.C. § 122(b)(2)(B)(iii) and 37 C.F.R. § 1.213(c) has been made.
4. Applicant hereby petitions, in accordance with 37 C.F.R. § 1.137(f) for the revival of this application.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

G deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

☒ with sufficient postage as first class mail.

G as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Signature

Date: 5/9/03Diana Ogles  
(type or print name of person certifying)

\* Only the date of filing ( ' 1.6 ) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10 ) or facsimile transmission ( ' 1.6(d) ) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Petition to Revive Application Abandoned for Failure to Notify Office of Foreign Filing (37 C.F.R. § 1.137(f))--page 1 of 2

ATLANTA 352972v1

5. Applicant declares that the entire delay from the due date for notifying the Office of the foreign filing until the filing of this petition was unintentional.

6. Outstanding matters for this application:

None

7. Payment of petition fee:

The petition fee of \$620.00 under § 1.17(m) (small entity (§ 1.27(a))) is paid as follows:

The Commissioner is hereby authorized to charge \$620.00 to deposit account no. 09-0528.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to account no. 09-0528.

A duplicate of this paper is attached.

Date: 5/9/03

Reg. No.: 32,497  
Tel. No.: 404-888-7349  
Customer No.: 26158



Signature of Practitioner

John J. Timar  
Womble Carlyle Sandridge & Rice, PLLC  
P.O. Box 7037  
Atlanta, GA 30357-0037

# Slater & Matsil, L.L.P.

Suite 1000  
17950 Preston Road  
Dallas, Texas 75252  
Phone: (972) 732-1001 Facsimile: (972) 732-9218

## FACSIMILE TRANSMITTAL SHEET

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TO: Nancy Johnson  
Office of Petitions

FAX NO.: 703-305-4257

FROM: Natalie Swider  
Legal Assistant

DATE: March 5, 2004

NO. OF PAGES: 4  
(including cover page)

RE: Application Serial No. 09/745,676  
Attorney Docket No. 00P9111 US

### MESSAGE

# COPY

Dear Ms. Johnson,

Pursuant to our telephone conversation today, attached please find a copy of the Declaration for Patent Application executed by the inventors. As shown on page 2, Power of Attorney was granted to all practitioners at Customer No. 25962 (Slater & Matsil, L.L.P.). In addition, the correspondence address was indicated as Ira S. Matsil, Slater & Matsil, L.L.P., 17950 Preston Road, Suite 1000, Dallas, TX 75252.

Please forward a copy of the Petition decision from January 2004 via facsimile to Slater & Matsil, L.L.P. at 972-732-9218.

Thank you for your help. Please let me know if you require any further documentation at this time.

Best regards,

  
Natalie Swider  
Legal Assistant